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DISTRICT OF COLUMBIA AND NEW YORK BARS

March 9, 2020

VIA ECF

Hon. LaShann DeArcy Hall
United States District Court
225 Cadman Plaza East
Brooklyn, NY 11201

Re: US v. Gilberto Mundo
17 CR 125

Dear Judge DeArcy Hall,

I represent the defendant, Gilberto Mundo, who is scheduled to be sentenced before Your Honor on March 17, 2020. On January 23, 2020, Mr. Mundo entered a plea of guilty to two violation charges contained in the Violation of Probation Report. Specifically, Mr. Mundo pled guilty to possessing a controlled substance (anabolic steroids) and use of a controlled substance (anabolic steroids.)

On May 17, 2019, Your Honor had sentenced Mr. Mundo to 5 years' probation for the underlying case. That sentence was both very generous and it showed that Your Honor had hoped Mr. Mundo was someone who could perhaps rise to the occasion and clean up his act. Unfortunately, Mr. Mundo suffers from a very serious addiction for which he has never sought treatment. While Mr. Mundo has shown remorse for what he's done, and of course he is very embarrassed by his behavior, there was absolutely no way that he could break this addiction on his own. From the very beginning of this case, he has stated very clearly that he has a problem and desperately wants help, he just does not know where to find it. Steroid addiction is a very severe, and a very real addiction. Mr.

Mundo has been addicted to steroids for more than 20 years, it stems from early childhood trauma of being bullied for being a very small child. Without psychiatric and medical intervention, it is very unlikely he will be able to break free from this addiction.

Since the date of Mr. Mundo's incarceration (on or about December 5, 2020,) defense counsel had been in contact with Dr. Harrison Pope, whose CV is attached hereto as Exhibit A. Dr. Pope specializes in this type of addiction and has written extensively on the subject. Dr. Pope makes it clear that this is a dangerous addiction, and one that is extremely hard to break. Attached for Your Honor's benefit is a letter from Dr. Pope addressing this issue.¹ You will see from the letter that Mr. Mundo is in the throes of a powerful addiction to anabolic steroids and desperately needs help.

Mr. Mundo realizes that this Court initially gave him a tremendous break by sentencing him to a period of five years' probation for the underlying case. He knows that he has disappointed Your Honor. Defense counsel has explained to Mr. Mundo over and over again, that there is no excuse for what he's done, and that the only thing he can do now is prove to Your Honor that he wants help and will get help. Another goal for Mr. Mundo is to complete his Master's degree, this is a priority for him. Mr. Mundo has been accepted to LSUS (Louisiana State University at Shreveport) Graduate Studies and the Master of Business Administration Program for the spring 2020 semester. If Your Honor were to allow him to go back on probation, he would be able to start the classes in May of 2020². I would suggest that if Your Honor is inclined to allow him to participate in this opportunity, that Your Honor require that Mr. Mundo to submit his transcript to the Court as it becomes available as a form of monitoring his progress towards his Master's Degree.

As for getting the help he needs, defense counsel has been in touch with Dr. Tom Hildebrandt, PsyD, FAED³, who is an expert in anabolic steroid abuse at Mount Sinai.

¹ Attached hereto as Exhibit B

² Exhibit C is Mr. Mundo's acceptance letter for the Master's Program

³ Tom Hildebrandt, PsyD, FAED is the Chief of the Division of Eating & Weight Disorders (Center of Excellence) at Mount Sinai and an Associate Professor of Psychiatry at the Icahn

He is an Associate Professor and the Chief of the Center of Excellence in Eating and Weight Disorders, and he is the Director of the Hilda & Preston David Living Laboratory, Department of Psychiatry, Icahn School of Medicine at Mount Sinai. Dr. Hildebrandt explained to me that Mr. Mundo needs one on one therapy and he must be seen simultaneously by an endocrinologist to manage his hormone levels.⁴ The plan is that as soon as Mr. Mundo is released, he would immediately begin therapy with someone from Dr. Hildebrandt's office and they would work with him to get an endocrinologist on board.

Dr. Hildebrandt and I discussed that reports would have to be submitted to the Court, detailing Mr. Mundo's progress. I have explained to Mr. Mundo that intense supervision is the only way this is going to work.

This is all to say that for the first time, Mr. Mundo is serious about getting help, getting off of steroids for good, and living up to the expectations he has set for himself and those of the Court. When Mr. Mundo was first arrested for the underlying case, he never told his family about his legal troubles that stemmed from his steroid use. He was embarrassed, and somehow, they never knew what had happened. Now, after really struggling with the decision, he has told his family. They have been supportive and want Mr. Mundo to get well. Now that his entire family knows about his addiction and legal troubles, he is not only accountable to himself and to the Court, but perhaps most importantly, he is now accountable to his family.

School of Medicine at Mount Sinai. Dr. Hildebrandt has a wide range of research interests and clinical expertise in populations including adolescents, men/boys with eating disorders, addictive disorders, and anabolic-androgenic steroid users. He and his colleagues have developed and tested a range of treatments for these populations including mirror exposure therapy, exposure-based family therapy (FBT-E), and CBT-based smartphone applications for binge eating. Dr. Hildebrandt has co-authored over 70 publications and 50 presentations on body image, eating disorders, obesity, family based treatments, and anabolic steroid use.

⁴ In Dr. Pope's letter, he details why group therapy and rehab centers for drug treatment is NOT a suitable for of therapy for anabolic steroid addicts. It must be one on one therapy for addicts such as this.

For all these reasons, I am asking that this Court sentence Mr. Mundo to Time Served. The defendant understands that monitoring must continue, and as far as defense counsel is concerned, the more the better. If possible, the Court should require the defendant to attend therapy sessions with reports submitted regularly to the Court. Additionally, it should be a requirement that his school transcripts be sent to Your Honor to monitor his progress.

Respectfully submitted,
/s/Johanna Zapp
Attorney for Gilberto Mundo

cc: Kaitlin Farrell AUSA